

CHARLES B. PERKINS (#126942)  
FLYNN, ROSE & PERKINS  
59 North Santa Cruz Avenue, Suite Q  
Los Gatos, California 95030  
Telephone: (408) 399-4566  
Email: cbperk@earthlink.net

\*\*E-filed 10/7/05\*\*

5 Attorneys for Plaintiff  
6 MARILYN KING

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

11 MARILYN KING, ) Case No. C05 02645 JF  
12 Plaintiff, )  
13 vs. )  
14 THE PAUL REVERE LIFE INSURANCE )  
15 COMPANY and DIVA SYSTEMS )  
16 CORPORATION LONG-TERM )  
17 DISABILITY GROUP INSURANCE PLAN, )  
18 Defendants. )  
19  
20 STIPULATION TO FILE FIRST AMENDED  
21 COMPLAINT AND (PROPOSED) ORDER  
22  
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Plaintiff Marilyn King and Defendant, The Paul Revere Life Insurance Company, by and  
through their counsel of record, hereby stipulate that Plaintiff may file a First Amended  
Complaint substituting UNUM Life Insurance Company of America for Defendant The Paul  
Revere Life Insurance Company. A copy of the proposed First Amended Complaint is attached  
hereto.

26 It is further stipulated that Defendant UNUM Life Insurance Company of America waives  
27  
28 notice and service of the First Amended Complaint, and that its Answer may be filed in response

**STIPULATION TO FILE FIRST AMENDED COMPLAINT AND (PROPOSED) ORDER  
Case No. C05 02645 JP**

1 to the First Amended Complaint.

2 IT IS SO STIPULATED,

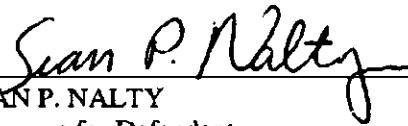
3 DATE: October 5, 2005

FLYNN, ROSE & PERKINS

4 By   
5 CHARLES B. PERKINS  
6 Attorneys for Plaintiff  
7 MARILYN KING

8 DATE: October 5, 2005

9 KELLY, HERLIHY & KLEIN LLP

10 By   
11 SEAN P. NALTY  
12 Attorneys for Defendant  
13 THE PAUL REVERE LIFE  
14 INSURANCE COMPANY

15 ORDER

16 Having reviewed the Stipulation of the parties and good cause appearing, it is hereby  
17 ordered that Plaintiff shall have leave to file her First Amended Complaint.

18 IT IS SO ORDERED,

19 DATE: 10/7/05

20 /s/electronic signature authorized

21 JUDGE JEREMY FOGEL

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